



Appeal Decision

Site visit made on 18 March 2010

by **Martin Joyce** DipTP MRTPI

an Inspector appointed by the Secretary of State
for Communities and Local Government

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Decision date:
7 April 2010

Appeal Ref: APP/H0738/A/09/2115594

Land to the side of 7 Station Road, Billingham, Cleveland TS23 1AG

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Ms Helen Armstrong against the decision of the Stockton-on-Tees Borough Council.
- The application, Ref: 09/2146/FUL, dated 26 August 2009, was refused by notice dated 21 October 2009.
- The development proposed is the construction of a two-storey residential structure with two flats in total (one on each level) with adjacent ground level car parking for three vehicles (revised parking scheme).

Decision

1. I dismiss the appeal.

Main issue

2. The main issue in this appeal is the effect of the proposed development on the safety of highway users in Parklands Avenue.

Reasoning

3. The proposal before me is the fourth application for residential development on the appeal site. The three previous applications were refused for a variety of reasons, including the effect on highway safety and the impact on neighbouring occupiers. All three refusals have been the subject of appeals, each of which has been dismissed. The most recent of those appeal decisions was in June 2009 (CLG Ref: APP/H0738/A/09/2096911) where the Inspector found that there would be no unacceptable impact on the living conditions of neighbouring occupiers, but that the parking proposed would harm highway safety in Station Road. That proposal involved the use of the existing rear access to the site from Parklands Avenue, and the re-opening of an access onto Station Road, with each access point serving two spaces. The proposal before me involves sole use of the access from Parklands Avenue, with three parking spaces provided to serve the appellant's existing dwelling and the two new flats.
 4. The Council contend that the previous appeal decisions support their stance that all parking for the proposed development should be contained within the appeal site, as surrounding roads have either restrictions or are already subject to pressure for kerbside parking. Therefore their standards for such parking, as contained in the Development Plan for this area, should be applied. That Plan is the Stockton-on-Tees Local Plan (LP), adopted in June 1997 where Policy HO3 permits residential development provided, *inter alia*, satisfactory
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arrangements can be made for access and parking. Similarly, Policy HO11 requires, amongst other things, that new residential development should provide adequate access, servicing and parking.

5. Interpretation of these Policies is assisted by subsequent Supplementary Planning Guidance relating to High Density Development: Flats and Apartments (SPG 4), published in April 2005, and a Supplementary Planning Document: Parking Provision for New Developments (SPD 3), adopted in November 2006. Consequently the proposed development would require three spaces for the two new flats. However, whilst three spaces are proposed, only two would be for the new flats, as the third would serve the appellant's existing house at No 7 Station Road. Moreover, the access proposed is unsuitable as it is sub-standard in respect of width, alignment and visibility both within the site and at its junction with Parklands Avenue, and the Council consider that there is limited manoeuvring space within the site.
6. The appellant suggests that there is no need for any parking provision for the proposed development having regard to national planning guidance and the site's location, being close to bus routes and the town centre. It is disputed that vehicular conflict would arise within the site but, in any event, the site has three access points, and a condition could be attached to any grant of planning permission requiring the use of any of these as access or egress points only. Such proposals cannot, however, be considered in this appeal, as I have no drawings upon which I can base any assessment of the impact of such a proposal, including on highway safety on Station Road.
7. The appeal site is situated close to a local shopping centre but I noted that Station Road, the principal road through this area, has limited on-street parking available, with all such space occupied at the time of my visit. Residential streets close to the appeal site, including Parklands Avenue, have less restrictions on parking, but much of the available space was taken up when I made my inspection, and it is clear that the area is subject to significant pressure for on-street parking from residents who do not have off-street space available to them, and also from visitors to the area, including shoppers.
8. The main consequence of the appeal development would be that, whilst provision for three parking spaces for the new flats could be made in accordance with the Council's adopted standards, this would be at the expense of existing parking for the appellant's own dwelling. Alternatively, one space per dwelling unit would be provided, which would not meet the standards. This would result, in my view, in additional, and unacceptable, pressure being placed upon the limited number of on-street parking spaces in the vicinity of the site. Competition for available space, including from visitors to the appeal property, would endanger the safety of other road users, especially in the circumstances of the access limitations apparent. Two vehicles could not pass within the lengthy, and poorly aligned, section of driveway leading to the parking area, and visibility at the junction with the public highway is restricted by kerbside parking along Parklands Avenue.
9. I note that the Inspector who determined the previous appeal considered that the Parklands Avenue access was broadly acceptable, despite its narrowness, "blind" corner, and restricted junction visibility. However, this was in the context of a proposed access to two spaces within the site. Utilisation of the

access by occupiers of three properties would materially increase the level of its usage and I consider that the limitations outlined above would create a situation where the likelihood of vehicles having to reverse onto Parklands Avenue would be significantly heightened. This would endanger the safety of other users of that road, including pedestrians.

10. I note the appellant's view that the appeal site is located in an area where national planning policy guidance indicates that zero parking provision may be acceptable. I do not share that view. The site is not in a traditional town centre location close to a variety of public transport, shopping and community facilities, rather it is within a local centre with limited services available. Whilst there may be bus stops nearby, no information has been provided about the frequency of buses and I consider it most unlikely that occupiers of the new flats would not wish to own cars. Visitors are also likely to use private transport.
11. My conclusion on the main issue is that the inadequacy of the proposed car parking arrangements would lead to a situation where the safety of highway users in Parklands Avenue would be materially harmed. The development would thereby conflict with the provisions of the Development Plan, and Policies HO3 and HO11 in particular.
12. All other matters raised in the written representations have been taken into account, but they do not outweigh the conclusions reached on the main issue of this appeal. In this context, I have also taken into account the effect of the proposed development on the character and appearance of the Billingham Green Conservation Area, and I consider that it would at least preserve such character and appearance. I note that the Council raised no objection to the development on this matter.

Martin Joyce

INSPECTOR